

ACTION  
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Department of State

INCOMING  
TELEGRAM

PAGE 01 BUENOS 01205 242100Z

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ACTION NA-02

INFO OCT-88 COPY-01 ADS-00 AID-00 INR-10 SS-10 CIAE-00  
EB-00 DODE-00 NSC-01 ARA-00 NSAE-00 LAB-04 PH-09  
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R 242058Z FEB 83  
FM AMEMBASSY BUENOS AIRES  
TO SECSTATE WASHDC 5531

UNCLAS BUENOS AIRES 01205

E.O. 12356: N/A  
TAGS: SHUM, AR  
SUBJECT: HUMAN RIGHTS TALKING POINTS

REF: SMITH/BUSHNELL TELCON

1. THERE FOLLOW SUGGESTED TALKING POINTS ON HUMAN RIGHTS PROGRESS IN ARGENTINA:
2. FOLLOWING THE TURBULENCE AND EXCESSES OF WAR AGAINST TERRORISM DURING BOTH CIVILIAN AND MILITARY GOVERNMENTS IN THE 1970S, ARGENTINES HAVE INTERNAL ORDER AND VIRTUALLY NORMAL PERSONAL AND INSTITUTIONAL LIBERTIES. DURING THE PAST YEAR HUMAN RIGHTS HAVE CONTINUED TO IMPROVE, NOTWITHSTANDING THE STRAINS OF ECONOMIC DEPRESSION AND MILITARY DEFEAT IN THE FALKLANDS WAR.

-- THE MILITARY GOVERNMENT HAS COMMITTED ITSELF TO POPULAR ELECTIONS THIS YEAR AND TO THE TURNOVER OF POWER TO THE ELECTED REGIME BY EARLY 1984. IT HAS PROMULGATED A POLITICAL PARTIES LAW; ALL PARTIES ARE ACTIVELY RECRUITING MEMBERS AND TAKING POLICY POSITIONS; THE GOVERNMENT ENCOURAGES POLITICAL ACTIVITY, MEETS WITH PARTY LEADERS, AND PERMITS FULL PRESS COVERAGE OF POLITICAL ACTIVITY.

-- NEWSPAPERS AND THE PRIVATE RADIO STATIONS FREELY CRITICIZE THE GOVERNMENT.

-- LABOR UNIONS, DESPITE CONTINUATION IN SOME CASES OF THE CONTROLS IMPOSED AFTER THE 1976 COUP, HAVE BROAD FREEDOM IN THE POLITICAL PROCESS. LABOR LEADERSHIP, ALTHOUGH BITTERLY OPPOSED TO GOVERNMENT ECONOMIC POLICIES, FUNCTIONS WITH LITTLE HINDRANCE AND HAS READY ACCESS TO THE PRESS.

-- ALL FORMS OF PEACEFUL PUBLIC PROTEST AGAINST THE GOVERNMENT HAVE BEEN PERMITTED, INCLUDING STRIKES. DURING THE "MARCH FOR DEMOCRACY" IN DECEMBER, 100,000 PEOPLE ORGANIZED BY POLITICAL, LABOR AND HUMAN RIGHTS GROUPS DEMONSTRATED IN DOWNTOWN BUENOS AIRES.

-- POLITICAL DISAPPEARANCES, WHICH HUMAN RIGHTS ORGANIZATIONS SAY TOTALLED BETWEEN 6,000 AND 30,000 DURING THE DIRTY WAR, ROUGHLY FROM 1974 TO 1975, DROPPED FROM 11 IN 1980 TO TWO IN 1981 AND NONE IN 1982 OR 1983.

-- OF FORMAL REQUESTS FOR INFORMATION ON THE WHEREABOUTS OF SOME 6,600 REPORTEDLY DISAPPEARED PERSONS, THE GOVERNMENT HAD RESPONDED BY LATE 1982 TO ABOUT ONE-QUARTER, INFORMING FAMILY MEMBERS PRIVATELY OF DEATHS AND SOMETIMES THE LOCATION OF REMAINS.

-- ARRESTS ORDERED UNDER STATE-OF-SIEGE POWERS, TOTALING 8,700 BETWEEN 1974-80, ALL BUT CEASED IN 1981-83. THE NUMBER OF PRISONERS STILL HELD UNDER

THIS AUTHORITY DECLINED FROM 1,550 IN 1980, TO 640 IN 1981, AND TO 243 AT THE END OF 1982. RELEASES CONTINUE AND THE GOVERNMENT HAS SAID THOSE REMAINING IN PRISON WILL BE RELEASED THIS YEAR. SOME SENTENCES EARLIER IMPOSED BY BOTH CIVILIAN AND MILITARY COURTS IN SUBVERSION CASES HAVE BEEN SHORTENED AND THE INDIVIDUALS RELEASED.

-- SANCTITY OF THE HOME, A CONSTITUTIONAL RIGHT OF ARGENTINES OFTEN VIOLATED IN THE DIRTY WAR, IS NOW RESPECTED WITH NO CASES OF ILLEGAL INVASION OF THE HOME REPORTED IN 1982.

-- THE JUDICIARY HAS STEADILY INCREASED ITS ROLE AND INDEPENDENCE. THE CIVILIAN SUPREME COURT HAS OVERTURNED MILITARY COURT FINDINGS, INCLUDING THOSE OF THE MILITARY'S HIGHEST TRIBUNAL, THE COUNCIL OF WAR. WHEN THE COURTS HAVE ORDERED PRISONERS RELEASED, THE GOVERNMENT HAS COMPLIED.

-- SOME PROBLEMS REMAIN. THREE 1982 MURDERS PRESUMED TO HAVE POLITICAL MOTIVES ARE STILL UNDER INVESTIGATION; FOUR PUBLICATIONS WERE BRIEFLY CLOSED IN 1982, ALTHOUGH THE COURTS PERMITTED THEIR REOPENING; THE TELEVISED NEWS MEDIA IS UNDER CAREFUL OFFICIAL CONTROL; JOURNALISTS AND HUMAN RIGHTS ORGANIZATIONS CLAIM ANONYMOUS HARASSMENT AND THERE ARE WIDESPREAD DEMANDS FOR CLARIFICATION AND PUNISHMENT CONCERNING THE DISAPPEARED. BUSHNELL

ARGENTINA PROJECT (S200000044)

U.S. DEPT. OF STATE, A/RPS/IPS

Margaret P. Grafeld, Director

(X) Release ( ) Excise ( ) Deny

Exemption(s):

Declassify: ( ) In Part ( ) In Full

( ) Classify as ( ) Extend as ( ) Downgrade to

Date \_\_\_\_\_ Declassify on \_\_\_\_\_ Reason \_\_\_\_\_

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